United Nations S/2001/285

Security Council

Distr.: General
29 March 2001
English
Original: Arabic

Letter dated 27 March 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 25 March 2001 from Mr. Hamid Yusuf Hammadi, Acting Minister for Foreign Affairs of Iraq. Appended to the Minister's letter is a table showing violations of Iraq's international boundaries committed by United States and British warplanes flying across the demilitarized zone monitored by the United Nations Iraq-Kuwait Observation Mission (UNIKOM) in the period from 24 February to 9 March 2001.

The Minister urges you to instruct UNIKOM to perform its duties in full and to report these violations to the Security Council through you, given that they constitute wanton aggression against Iraq and against its people, its sovereignty and its territory, as well as against United Nations peacekeeping operations, and he asks you to alert the Security Council to its responsibility to halt the aggression and hold the aggressors accountable under international law.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Mohammed A. **Al-Douri**
Ambassador
Permanent Representative

01-30979 (E) 290301 290301

Annex to the letter dated 27 March 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

Further to our letter dated 13 March 2001 (S/2001/230, annex), I should like to inform you that United States and British warplanes committed 186 violations of Iraq's international boundaries by way of the demilitarized zone monitored by the United Nations Iraq-Kuwait Observation Mission (UNIKOM) in the period from 24 February to 9 March 2001. On the basis of the table appended to this letter, the relevant Iraqi authorities have determined that the violations committed were as follows:

1. Armed and hostile aerial activity by the United States and the United Kingdom, violating our international boundaries by way of the demilitarized zone, comprised 186 sorties in the following governorates: Basrah, Muthanna, Maysan, Wasit and Dhi Qar.

2. Our technical systems identified the aircraft violating Iraq's airspace on an almost daily basis as American F-14s, F-15s, F-16s and F-18s and British Tornadoes.

3. All of the armed and hostile sorties that violated Iraq's airspace by way of the demilitarized zone received support from an AWACS aircraft operating inside Saudi Arabian airspace and an E-2C aircraft operating inside Kuwaiti airspace.

4. A total of 10 remotely piloted aircraft violated Iraq's airspace from Kuwait by way of the demilitarized zone between 23 February and 9 March 2001.

All of the violations in question were committed by way of the demilitarized zone in which UNIKOM is stationed. One of UNIKOM's primary responsibilities is to monitor such hostile military operations and to report them and endeavour to halt them immediately.

The violations being committed by United States and British military aircraft, in which 10 to 20 of them are used daily, are tantamount to an undeclared war. It is imperative that the United Nations should take the measures that are required in their regard under the Charter, so that the aggression may be halted and those who have committed the violations may be charged with full international responsibility for them, including liability for payment of compensation to Iraq.

The statements of UNIKOM to the effect that it is unable to monitor or identify these aircraft cannot be maintained in the light of the scientific and technological capabilities that are available or that UNIKOM is in a position to obtain and utilize in order to fulfil the requirements of its mandate by establishing the identity and country of the warplanes that are violating Iraq's sovereign airspace and thence taking deterrent measures against the aggressors.

I accordingly urge you once more to instruct UNIKOM to perform its duties in full and to report these violations to the Security Council through you, given that they constitute wanton aggression against Iraq and against its people, its sovereignty and its territory, as well as against United Nations peacekeeping operations, and I ask you to alert the Security Council to its responsibility to halt the aggression and hold the aggressors accountable under international law.

(*Signed*) Hamid Yusuf **Hammadi**
Acting Minister for Foreign Affairs

Appendix

Hostile aerial activity violating Iraq's international boundaries from Kuwait, 24 February-9 March 2001

No.	Date	From	Time	Type	Sorties	Altitude (metres)	Speed (km/h)	Areas overflown
1	24 February-2 March	Kuwait	0800-1555	F-14, F-15, F-16, F-18	96 (including 8 drones)	10,000-12,000	740-780	Artawi, Umm Qasr, Qurnah, Basrah, Amarah, Jalibah, Samawah, Shinafiyah, Qal'at Salih, Hayy
2	3-9 March	Kuwait	0950-2038	F-14, F-15, F-16, F-18	90 (including 2 drones)	10,500-12,000	720-780	Basrah, Artawi, Qurnah, Salman, Rifa'i

Total sorties: 186

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Report of the Secretary-General concerning the credentials of the representative of Tunisia on the Security Council

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received the credentials, signed on 15 March 2001 by the President of the Republic of Tunisia and by the Minister for Foreign Affairs of Tunisia, stating that Mr. Noureddine Mejdoub has been appointed representative of Tunisia on the Security Council.

In the opinion of the Secretary-General, these credentials are in order.

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Report of the Secretary-General on the United Nations Iraq-Kuwait Observation Mission

(for the period from 22 September 2000 to 27 March 2001)

I. Introduction

1. The present report gives an account of the activities of the United Nations Iraq-Kuwait Observation Mission (UNIKOM) during the past six months in accordance with the mandate entrusted to it by the Security Council in resolutions 687 (1991) of 3 April 1991, 689 (1991) of 14 June 1991 and 806 (1993) of 5 February 1993.

II. Main developments

2. The situation in the demilitarized zone remained generally calm and UNIKOM functioned smoothly with the cooperation of both parties. UNIKOM continued to monitor the demilitarized zone from fixed observation posts and through patrols by land, sea and air. However, UNIKOM helicopter flights remained suspended on the Iraqi side as they have been since December 1998 (see S/1999/330, para. 2). In discharging its mandate, UNIKOM continued to visit ships docking in the port of Umm Qasr.

3. There were 267 violations of the demilitarized zone, of which 101 were ground violations, 12 were weapons violations, 11 were maritime violations and 143 were air violations. Of the ground violations, 78 occurred when a peaceful demonstration was staged by Bedouins (stateless Arabs) from 2 to 7 October 2000, near Abdali. Most of the other ground violations along the border involved Iraqi vehicles using the gravel road, which crosses in and out of Kuwaiti territory.

4. The weapons violations comprised seven cases when Iraqi men carrying weapons were observed in the demilitarized zone, one case when five Kuwaiti police vehicles entered the demilitarized zone with machine-guns mounted, three times when Iraqi patrol boats mounted with machine-guns entered the Khawr' Abd Allah waterway and once when an Iraqi boat equipped with four missile launchers entered the waterway.

01-30985 (E) 290301

5. The number of air violations of the demilitarized zone that were recorded increased from 6 during the previous reporting period to 143. The violations mostly involved aircraft heard or observed, but flying too high to be identified. A Gazelle helicopter was observed on three separate occasions, a Lynx-type helicopter with British colours once, an F-18 jet twice and a pair of F-14 jets once.

6. The reporting of air violations has been the subject of discussions between UNIKOM and the Iraqi authorities, who monitor overflights through national means and feel that UNIKOM should be reporting a higher number of violations and should identify aircraft by type and nationality. UNIKOM has explained to the Iraqi authorities that it cannot rely on inference or supposition in such a matter and that UNIKOM does not have the technical and intelligence capacity required for a positive identification. In any case, the United Kingdom of Great Britain and Northern Ireland and the United States of America have made it clear that they continue to patrol a "no-fly-zone" in southern Iraq.

7. The 11 maritime violations involved Iraqi tugboats and patrol boats observed on the Kuwaiti side of the Khawr' Abd Allah.

8. During the reporting period, UNIKOM received 24 complaints, 19 from Iraq and 5 from Kuwait. Of the Iraqi complaints, 12 were about air violations, 2 were complaints about vehicles carrying military personnel on the Kuwaiti side of the demilitarized zone and 3 involved firing of small arms. UNIKOM was not able to verify these complaints except in one case of alleged small arms fire where the investigating team found empty shells in the vicinity of the area mentioned. One Iraqi complaint was about two large tents near a Kuwaiti police post. UNIKOM was informed by the Kuwaiti liaison officer that they were erected for a visit of a senior Kuwaiti official. Another Iraqi complaint, which could not be verified, involved two Kuwaitis in military uniform on motorcycles and armed with rifles. Of the Kuwaiti complaints, four were about Iraqis crossing the border into Kuwaiti territory, and one concerned the theft of scrap metal from an oil rig. UNIKOM was not able to confirm any of the Kuwaiti complaints.

9. In an incident on 30 November 2000, two United Nations military officers on their way from Kuwait City to Umm Qasr were pursued by an armed man in a car who discharged two shots. Subsequently, the Kuwaiti police informed UNIKOM that they had identified a suspect and that the incident appeared to be a prank carried out by an unstable youngster. Other incidents involved Iraqi children throwing stones at UNIKOM vehicles and observers, and the illegal entry into the UNIKOM compound at Umm Qasr of two Iraqi men holding false UNIKOM identity cards. On 15 February 2001, some 450 Iraqis staged a peaceful, carefully monitored demonstration in the centre of Safwan.

10. A high level of activity was observed at the oil installations on the Kuwaiti side of the demilitarized zone, particularly near Abdali. Iraqi oil production in the same vicinity also expanded considerably during the reporting period.

11. UNIKOM continued to facilitate the humanitarian activities of the International Committee of the Red Cross as necessary. It also carried out a number of casualty evacuations of Iraqi civilians injured by mine explosions.

12. UNIKOM maintained close and regular liaison with the authorities of both Iraq and Kuwait at various levels, including visits by the Force Commander to Baghdad and Kuwait City and through the UNIKOM liaison offices in the two capitals. The

Governments of both Kuwait and Iraq have continued to cooperate with the Mission in the conduct of its operations.

III. Organizational matters

13. As of March 2001, the overall strength of UNIKOM was 1,301, as follows:

(a) A total of 193 military observers, from Argentina (4), Austria (2), Bangladesh (5), Canada (6), China (11), Denmark (5), Fiji (7), Finland (5), France (11), Ghana (5), Greece (4), Hungary (6), India (6), Indonesia (5), Ireland (6), Italy (6), Kenya (3), Malaysia (5), Nigeria (5), Pakistan (6), Poland (6), Romania (5), the Russian Federation (11), Senegal (6), Singapore (5), Sweden (5), Thailand (5), Turkey (6), the United Kingdom (11), the United States (11), Uruguay (6) and Venezuela (3);

(b) An infantry battalion of 775 from Bangladesh;

(c) An engineering unit of 50 from Argentina;

(d) A logistics unit of 30 from Argentina;

(e) A helicopter unit of 35 from Bangladesh;

(f) A medical unit of 14 from Germany;

(g) A total of 204 civilian staff, of whom 52 were recruited internationally and 152 locally.

Major General John A. Vize of Ireland continued as Force Commander.

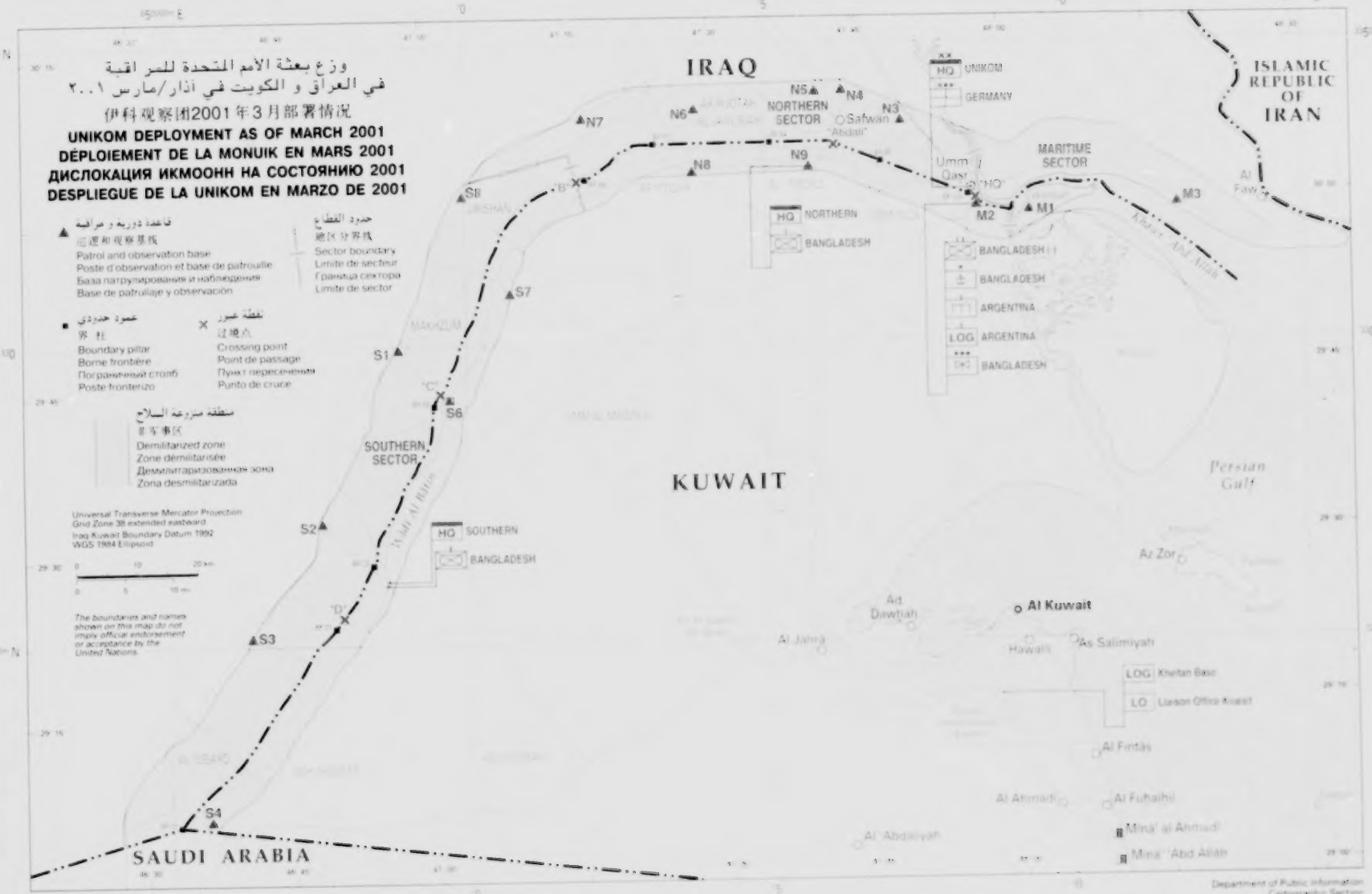
IV. Financial aspects

14. The General Assembly, in its resolution 54/18 B of 15 June 2000, appropriated the amount of $52,710,270 gross for the maintenance of UNIKOM for the period from 1 July 2000 to 30 June 2001, subject to review by the Security Council with regard to the question of termination or continuation of the Mission. Two thirds of the cost of the Mission, equivalent to $31.8 million, is to be funded through voluntary contributions from the Government of Kuwait.

V. Observations

15. During the period under review, the situation along the border between Iraq and Kuwait remained generally quiet. UNIKOM continued to carry out its tasks smoothly, thereby contributing to the maintenance of calm and stability along the border. In undertaking these tasks, it continued to receive the cooperation of the Iraqi and Kuwaiti authorities. I recommend that the Mission be maintained.

16. In conclusion, I wish to pay tribute to Major General Vize and to the men and women under his command for the manner in which they have discharged their responsibilities. Their discipline and bearing have been of high order, reflecting credit on themselves, their countries and the United Nations.



Map No. 3637 Rev. 20 UNITED NATIONS
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Letter dated 23 March 2001 from the Secretary-General addressed to the President of the Security Council

I wish to refer to the presidential statement dated 2 June 2000 (S/PRST/2000/20), in which the Security Council requested me to establish a panel of experts on the illegal exploitation of natural resources and other forms of wealth in the Democratic Republic of the Congo for a period of six months. The Council also requested that the expert panel, once established, submit to the Council, through me, its final report at the end of the mandate.

In my letter dated 31 July (S/2000/796), I informed the Security Council of the composition of the Expert Panel and its related activities. The interim report of the Panel was submitted to the Council on 16 January 2001 (S/2001/49).

In view of the need for additional time to complete the final text, I recommend that the Panel submit its final report to the Council by 3 April 2001.

I would be grateful if you could bring this matter to the attention of the members of the Security Council.

(*Signed*) Kofi A. Annan

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Letter dated 28 March 2001 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter dated 23 March 2001 (S/2001/288) concerning the Panel of experts on the illegal exploitation of natural resources and other forms of wealth in the Democratic Republic of the Congo has been brought to the attention of the members of the Council. They take note of your recommendation that the Panel submit its final report to the Council by 3 April 2001.

(*Signed*) Volodymyr **Yel'chenko**
President of the Security Council

01-31044 (E) 290301

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Letter dated 28 March 2001 from the Secretary-General addressed to the President of the Security Council

I have the honour to convey the attached communication, dated 27 March 2001, which I have received from the Secretary-General of the North Atlantic Treaty Organization.

I should be grateful if you would bring it to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

01-31159 (E) 300301

Annex

Letter dated 27 March 2001 from the Secretary-General of the North Atlantic Treaty Organization addressed to the Secretary-General

In accordance with Security Council resolution 1088 (1996), I attach the monthly report on the operation of the Stabilization Force (SFOR). I would appreciate your making this report available to the Security Council.

(*Signed*) George **Robertson**

Enclosure

Monthly report to the Security Council on the operations of the Stabilization Force

1. Over the reporting period (1-28 February 2001) there were just over 21,000 troops deployed in Bosnia and Herzegovina and Croatia, with contributions from all the NATO allies and from 15 non-NATO countries. Stabilization Force (SFOR) troops continued to conduct reconnaissance and surveillance operations by means of ground and air patrols. Other operations included area security, monitoring the border with the Federal Republic of Yugoslavia, monitoring the Entity Armed Forces, conducting weapons storage site inspections, providing support to the international organizations in theatre, and collecting weapons and ammunition in the framework of Operation Harvest.

2. At the request of the Office of the High Representative, SFOR began to assist the local police and the International Police Task Force (IPTF), starting on 5 February, in providing a safe and security environment in the Sarajevo suburb of Dobrinja, near Sarajevo airport, to help the international arbitrator appointed to resolve issues related to the location of the Inter-Entity Boundary Line. This binding arbitration process relates to requests by about 650 Bosniac families for repossession of their former homes currently occupied by mainly Bosnian Serbs, and is expected to the completed early in April.

Cooperation and compliance by the parties

3. The situation in theatre remained calm and stable throughout the reporting period, with the entities in substantial compliance with the military provisions of the Peace Agreement.

4. Over the period, SFOR troops conducted inspections at 141 weapons storage sites and 8 government ordnance factory sites.

5. SFOR troops monitored 349 training and movement activities: 104 Bosnian Serb; 85 Bosniac; 23 Bosnian Croat; and 137 Federation.

6. Over the period, Entity Armed Forces demining teams conducted a total of 53 mine-clearing activities.

Cooperation with international organizations

7. Within capabilities and in accordance with its mandate, SFOR continues to provide assistance to the international organizations in theatre, including the United Nations Mission in Bosnia and Herzegovina, IPTF, the Office of the High Representative, the International Tribunal for the Former Yugoslavia, the Organization for Security and Cooperation in Europe and the Office of the United Nations High Commissioner for Refugees.

8. SFOR continues to support the Office of the High Representative in its efforts to establish common institutions in Bosnia and Herzegovina.

9. The 15 per cent reduction of Entity Armed Forces is being verified by SFOR and results are expected by the end of March. In addition, SFOR will support a broad weapons storage site inspection programme to verify the Entity Armed Forces' holdings of equipment limited by article IV of the Dayton Peace Agreement

(tanks, armoured personnel carriers, artillery, combat helicopters and aircraft). The SFOR *Guidance for SFOR/Entity Armed Forces Training* will be released and distributed to Multinational Divisions by the end of March, based on which the Multinational Divisions will develop joint exercises and training with the Entity Armed Forces.

Outlook

10. The overall situation in Bosnia and Herzegovina remains calm and stable.